IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 19TH SEPTEMBER 2007 / 28TH BHADRA 1929

Tr.P(Crl.).No. 63 of 2007()

ST.132/1999 of J.M.F.C., KATTAPPANA
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PETITIONER: 1

SIMON, AGED 41 YEARS, S/O.DEVASSIA,
RESIDING AT THEKKEDATH HOUSE, VAKAPPADY,
VAZHAVARA, IDUKKI.

BY ADV. SRI.C.T.JESTIN

RESPONDENTS:

STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.M.S.BREEZ

THIS TRANSFER PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 19/09/2007 THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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Tr.P.No. 63 of 2007

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Dated this the 19th day of September, 2007

ORDER

The petitioner faces indictment in a prosecution under Sec.309 IPC. The petitioner has appeared through counsel before this Court and prays that the case may be transferred to any other court outside Idukki district. The petitioner now resides outside Kerala. The petitioner laments that even allegedly he had attempted to commit suicide because of financial difficulties and vexation from creditors. The petitioner is unable to proceed to Kattappana for fear of such vexation. In these circumstances, it is prayed that the case may be proceeded in any other Court in Kottayam district.

2. Notice was given to learned Public Prosecutor. The learned Public Prosecutor does not oppose the application. I am satisfied, in the facts and circumstances of the case, that the request made by the petitioner can be considered favourably.

3. In the result, S.T.No.132/99 against the petitioner now pending before the Judicial First Class Magistrate Court- Kattappana is transferred to Judicial First Class Magistrate Court I- Kottayam. The petitioner shall appear before the Judicial First Class Magistrate Court I,Kottayam on 22.10.07 for continuation of the proceedings.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE